

Must seeds for cover crops be organic?

Yes, but there are exceptions granted for certain conditions, which are stated below (See § 205.204) Generally speaking, producers must use organically grown seeds, annual seedlings, and planting stock. Exceptions are granted for the following conditions:

(1) You can use nonorganically produced, untreated seeds and planting stock when the equivalent organically produced variety is not commercially available, except organically produced seed must always be used for the production of edible sprouts);

(2) You can use nonorganically produced seeds and planting stock that is treated with a substance included on the National List of synthetic substances, when an equivalent organically produced or untreated variety is not commercially available;

(3) You can use nonorganic annual seedlings to produce an organic crop when a temporary variance has been granted in accordance with § 205.290(a) (2);

(4) You can use nonorganic planting stock to produce a perennial crop you intend to sell, label, or represent as organically produced, but only after you maintain the planting stock under a system of organic management for a period of at least 1 year; and

(5) You can use seeds, annual seedlings, and planting stock treated with prohibited substances, but only when the application of those prohibited materials is a requirement of U.S. Federal or State phytosanitary regulations.

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